

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	
AUTOHAUS ACQUISITION, INC.,	:	CASE NO. 1:09-bk-07158
d/b/a VICTORY VOLKSWAGEN,	:	
Debtor	:	CHAPTER 7
	:	JOINTLY ADMINISTERED TO
	:	THREE ARROWS ENTERPRISES,
	:	INC., ET AL
	:	CASE NO. 1:09-bk-07161

MOTION FOR LEAVE TO COMPROMISE  
CONTROVERSY WITH NICK REINHART

TO THE HONORABLE ROBERT N. OPEL, BANKRUPTCY JUDGE:

COMES NOW, Lawrence G. Frank, Trustee in Bankruptcy in the above-captioned Chapter 7 proceeding, and makes this motion, respectfully stating in support thereof:

1. The Debtor filed a voluntary Chapter 11 Petition in this Court on September 16, 2009, which was converted to a Chapter 7 on January 21, 2010.

2. The undersigned is the duly appointed, qualified and acting Trustee in Bankruptcy.

3. By Order of June 24, 2011, an Order was entered approving the sale of five (5) motor vehicles to Reinhart, Ltd., for the sum of Eighty-Two Thousand Seventy-Five (\$82,075.00) Dollars.

4. The five (5) motor vehicles that were the subject of this Court's Order of June 24, 2011 were located at the real property owned by Nick Reinhart from the date of the conversion to Chapter 7 on January 21, 2010 to the date of this Court's Order approving the sale of the vehicles.

5. Nick Reinhart has presented a use and occupancy claim to the Trustee for an amount approximately equaling the sale price that the Court approved.

6. Through negotiations between the Trustee, Nick Reinhart and his attorney, the parties have agreed upon an administrative rent claim of \$24,000.00 for the use and occupancy of the five (5) aforementioned vehicles.

7. Furthermore, the parties have agreed that the sum of \$24,000.00 will be deducted from the amount proposed to be paid or to be paid as a result of this Court's Order of June 24, 2011, i.e., \$82,075.00.

8. Considering the circumstances of the storage and the length of time that the vehicles were on the premises owned by Nick Reinhart, the Trustee believes the settlement is fair.

WHEREFORE, the Trustee respectfully requests this Honorable Court to approve the compromise of controversy

between the estate and Nick Reinhart on the above terms and conditions.

RESPECTFULLY SUBMITTED BY:

/s/Lawrence G. Frank  
LAWRENCE G. FRANK, ESQUIRE  
THOMAS, LONG, NIESEN AND KENNARD  
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TRUSTEE IN BANKRUPTCY

**CERTIFICATE OF SERVICE**

AND NOW, this 15<sup>th</sup> day of September, 2011, I, Lawrence G. Frank, Esquire, hereby certify that I this day electronically filed the foregoing document with the Clerk of the Bankruptcy Court using the CM/ECF system which sent notification of such filing to the following Filing Users at the following e-mail address:

U.S. Trustee - [ustpreregion03.ha.ecf@usdoj.gov](mailto:ustpreregion03.ha.ecf@usdoj.gov)

Sara Austin - [saa2@austinlawllc.com](mailto:saa2@austinlawllc.com)

And service by United States First Class Mail to:

Reinhart LTD  
515 North Reading Road  
Ephrata, PA 17522

/s/Lawrence G. Frank  
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Trustee in Bankruptcy